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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) Case No. CR 07 0742 MAG

Plaintiff,

1

DAMIEN R SEXTON.

Defendant.

**DECLARATION OF ALLISON
DANNER IN SUPPORT OF UNITED
STATES' MOTION FOR SUMMONS**

I, Allison Danner, hereby declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office assigned to the prosecution of this case. I have received the following information from agents employed by the Federal Bureau of Investigation (FBI) and from reports and other documents provided to me by the FBI.

2. On March 21, 2007, at approximately 9:50 p.m., an officer from the San Francisco Police Department was dispatched to Gate #73 at San Francisco Airport following a report of an intoxicated male on board United Airline Flight #189, flying from Philadelphia, Pennsylvania to San Francisco, California.

3. The pilot of the plane, David Atala, told San Francisco Police officer Boyle-Vasquez that, while the plane was in flight, he had reported an emergency to the SFO flight control tower due to an intoxicated passenger on the plane and had requested that the police meet the flight upon its arrival in San Francisco.

4. FBI agents have interviewed Patricia Mace, a passenger traveling on United Airlines flight #189 on March 21, 2007. Patricia Mace stated that she was sitting next to Damien Sexton on the flight. Several hours into the flight, Sexton became agitated. Sexton stood up in his seat and yelled "I'm going to kill the pilot." Sexton stepped on Mace's thigh to get into the aisle of the plane. After the trip, Mace went to a doctor, who told her that her thigh muscle and nerves had been damaged from Sexton's action.

5. FBI agents have interviewed Charilyn Ahmina Kaleinani-Smith, who was the Purser on United Airlines flight #189 on March 21, 2007. Kaleinani-Smith said that, after Sexton went into the aisle of the plane, four or five other male passengers attempted to restrain Sexton. Kaleinani-Smith gave the passengers duct tape and handcuffs to restrain Sexton. The passengers were able to handcuff Sexton to his seat.

6. Sexton was arrested by SFPD after the flight landed in San Francisco.

7. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed November 21, 2007, at San Francisco, California.

DATED: Nov 21, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney


ALLISON DANNER
Assistant United States Attorney
United States Attorney's Office